IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
WRIT PETITION NO.3332 OF 2006

Office Notes, Office Memoranda of coram, appearances, Court's orders or directions and Registrar's orders.	Court's or Judge's orders.

Mr.Sagar Joshi for the petitioner.

CORAM: D.B.BHOSALE, J.
DATED: 20TH SEPTEMBER, 2006

P.C.:

. Heard learned counsel for the petitioner.

2. This petition is directed against the order dated 13.2.2006 by which the respondents-plaintiffs' application under Order 6 Rule 17 of the Code of Civil Procedure has been allowed. I perused the order. It appears that the amendment was challenged mainly on the ground that it changes the nature of suit and it may, therefore, cause prejudice to the defendants. Neither before the trial Court nor before me the petitioner could demonstrate how the amendment changes the nature of suit. The trial Court has rightly allowed the application for the reasons stated in the order and in particular paragraphs 3 and 5 thereof. The order impugned is just and proper and warrants no interference by this court under Article 227 of the Constitution of India. The writ petition is dismissed. The hearing of the suit is expedited.

(D.B.Bhosale, J.)